

SUMMARY ACTION MINUTES

SPECIAL MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA



TUESDAY, APRIL 4, 2000, 9:00 A.M.

BOARD HEARING ROOM, FIRST FLOOR
10 Civic Center Plaza
Santa Ana, California

CHARLES V. SMITH
Chairman
First District

JAMES W. SILVA
Vice Chairman
Second District

TODD SPITZER
Third District

CYNTHIA P. COAD
Fourth District

THOMAS W. WILSON
Fifth District

ATTENDANCE: Supervisors: Smith, Spitzer, Coad and Wilson

EXCUSED: Supervisor Silva

PRESENT: COUNTY EXECUTIVE
OFFICER
COUNTY COUNSEL
CLERK OF THE BOARD

Janice M. Mittermeier

Laurence M. Watson
Darlene J. Bloom

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CLOSED SESSION;

CS-1. County Counsel - CONFERENCE WITH LEGAL COUNSEL--PENDING LITIGATION: County Counsel requests a closed session to discuss with the Board of Supervisors the status of pending litigation pursuant to Government Code Section 54956.9(a). The case is: Frank Leone v. County of Orange, Workers' Compensation Case Nos. ANA0321810, ANA0321811, ANA0322767; Gregory Crandall v. County of Orange, ANA0325759; Gabriel Acosta, et al., v. County of Orange, United States District Court, CV 934918; Orange County Superior Court - All Districts

B.O. HELD, THE CHAIRMAN REPORTED THE FOLLOWING: PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a), THE BOARD MET IN CLOSED SESSION WITH LEGAL COUNSEL TO DISCUSS THE CASES REFERENCED IN TODAY'S 9:00 A.M. SPECIAL MEETING AGENDA AS CS-1. WITH RESPECT TO THE CASES ENTITLED FRANK LEONE vs. COUNTY OF ORANGE, THE BOARD OF SUPERVISORS BY A VOTE OF 4 TO 0, SUPERVISOR SILVA BEING ABSENT, APPROVED A COMPROMISE AND RELEASE SETTLEMENT IN THE AMOUNT OF \$85,000, LESS CREDIT FOR AN OVERPAYMENT ON TEMPORARY TOTAL DISABILITY AND LESS CREDIT FOR PERMANENT DISABILITY ADVANCES WHICH ARE CONTINUING. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO FINAL APPROVAL OF THE WORKERS' COMPENSATION APPEALS BOARD. AS SOON AS THE PROPOSED SETTLEMENT BECOMES FINAL, THE SUBSTANCE OF THE AGREEMENT WILL BE MADE AVAILABLE IN THE OFFICE OF THE CLERK OF THE BOARD TO ANY PERSON WHO INQUIRES. WITH RESPECT TO THE CASE OF GREGORY CRANDALL vs. COUNTY OF ORANGE, THE BOARD OF SUPERVISORS BY A VOTE OF 4 TO 0, SUPERVISOR SILVA BEING ABSENT, APPROVED A COMPROMISE AND RELEASE SETTLEMENT IN THE AMOUNT OF \$70,000, LESS CREDIT FOR AN OVERPAYMENT OF TEMPORARY DISABILITY AND LESS PERMANENT DISABILITY ADVANCES WHICH ARE ONGOING. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO FINAL APPROVAL OF THE WORKERS' COMPENSATION APPEALS BOARD. AS SOON AS THE PROPOSED SETTLEMENT BECOMES FINAL, THE SUBSTANCE OF THE AGREEMENT WILL BE MADE AVAILABLE IN THE OFFICE OF THE CLERK OF THE BOARD OF SUPERVISORS TO ANY PERSON WHO INQUIRES. WITH RESPECT TO THE CASES ENTITLED GABRIEL ACOSTA, ET. AL. vs. COUNTY OF ORANGE, THE BOARD OF SUPERVISORS BY A VOTE OF 4 TO 0, SUPERVISOR SILVA BEING ABSENT, APPROVED A SETTLEMENT OF BOTH THE FEDERAL DISTRICT COURT AND SUPERIOR COURT CASES IN THE AMOUNT OF \$280,000. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO FINAL APPROVAL BY THE PLAINTIFFS AND THE RESPECTIVE COURTS. AS SOON AS THE PROPOSED SETTLEMENT BECOMES FINAL, THE SUBSTANCE OF THE AGREEMENT WILL BE MADE AVAILABLE IN THE OFFICE OF THE CLERK OF THE BOARD TO ANY PERSON WHO INQUIRES. THE BOARD DIRECTED RISK MANAGEMENT TO REQUEST THE SHERIFF TO REVIEW THE FACTS OF THE AFOREMENTIONED CASE AND TO PREPARE A REPORT TO THE BOARD REGARDING WHAT SAFEGUARDS HAVE BEEN IMPLEMENTED AS A RESULT. THE BOARD TOOK NO OTHER REPORTABLE ACTION DURING THE CLOSED SESSION AT THE 9:00 A.M. SPECIAL MEETING.

PUBLIC & BOARD COMMENTS:

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PUBLIC COMMENTS:

BOARD COMMENTS:

ADJOURNED: 9:34 A.M.

Left Margin Notes

- 1. v Chairman Smith
- 2. v Supervisor Silva
- 3. v Supervisor Spitzer
- 4. v Supervisor Coad
- 5. v Supervisor Wilson

- A. v Abstained
- X. v Excused
- N. v No
- BO v Board Order

Right Margin Notes

- O. v Ordinance
- R. v Resolution
- F. v Flood

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

*Charles V. Smith, CHAIRMAN
Orange County Board of Supervisors*

*DARLENE J. BLOOM
Orange County Clerk of the Board*